

REMARKS

Applicants request reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1-16 are now pending in the present application. Claims 1, 9, 10, 15, and 16 are the independent claims.

Claims 1, 5-7, 9, and 10 have been amended. Claims 11-16 are newly-presented. No new matter is believed to have been added.

The Office Action objected to claim 6 on formal grounds. By the present Amendment, Applicants have amended this claim. Favorable consideration is requested.

The Office Action also rejected claim 6 under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants do not concede the propriety of this rejection. Nonetheless, Applicants have amended claim 6 to comport with amendments made to independent claim 1. Applicants submit that claim 6 fully satisfies the requirements of 35 U.S.C. §112, second paragraph, and respectfully request reconsideration and withdrawal of this rejection.

Claims 1-4 and 8 stand rejected under 35 U.S.C. § 102 as being anticipated by previously-cited U.S. Patent No. 5,117,470 (Inoue et al.). Claims 5-7 stand rejected variously under 35 U.S.C. § 103 as being obvious over Inoue et al. in view of one of U.S. Patent No. 5,621,839 (Asano et al.), U.S. Patent No. 5,917,628 (Ooi et al.), or U.S. Patent No. 5,475,771 (Hosoi). Claims 9 and 10 stand rejected under 35 U.S.C. § 103 as being obvious over Inoue et al. in view of Japanese Patent Document No. 01-097905 (Sano et al.). These rejections are respectfully traversed.

Independent Claim 1 recites, inter alia, a third optical element formed on a substrate and guiding or protecting light radiated from an optical coupling part. However, Applicants respectfully submit that Inoue et al. does not teach at least this feature of independent claim 1.

The primary citation to Inoue et al. relates to a guided-wave optical circuit and method for adjusting a characteristic thereof. In an alternative embodiment, Inoue et al. teaches a waveguide 62 that guides light emitted from a directional coupler 65a of a Mach-Zehnder interferometer 70a to another Mach-Zehnder interferometer 70b. (Inoue et al., FIG.32; Col. 24, lines 31-65). Thus, for at least this reason, Applicants submit that Inoue et al. does not teach or suggest at least the aforementioned feature of independent claim 1.

Accordingly, it is submitted that for at least this reason Inoue et al. fails to anticipate independent claim 1, and thus reconsideration and withdrawal of the rejection under 35 U.S.C. §102 is respectfully requested.

Regarding the rejection of claim 5 under 35 U.S.C. §103, Asano et al. relates to an optical waveguide device having a substrate made of ferroelectric crystals. Applicants respectfully submit that Asano et al. does not add any teaching that would remedy the aforementioned deficiency of Inoue et al.

Therefore, without conceding the propriety of combining Inoue et al. and Asano et al. in the manner proposed in the Office Action, it is submitted that such a combination still fails to teach or suggest all of the features of claim 5. Therefore, reconsideration and withdrawal of the rejection of claim 5 under 35 U.S.C. §103 is respectfully requested.

Regarding the rejection of claim 6 under 35 U.S.C. §103, Ooi et al. relates to an optical time-division multiplexer capable of supplying a stable output signal. Applicants respectfully submit that Ooi et al. does not add any teaching that would remedy the aforementioned deficiency of Inoue et al.

Therefore, without conceding the propriety of combining Inoue et al. and Ooi et al. in the manner proposed in the Office Action, it is submitted that such a combination still fails to teach or suggest all of the features of claim 6. Therefore, reconsideration and withdrawal of the rejection of claim 6 under 35 U.S.C. §103 is respectfully requested.

Regarding the rejection of claim 7 under 35 U.S.C. §103, Hosoi relates to a polarization splitter having an anisotropic optical waveguide. Applicants respectfully submit that Hosoi does not add any teaching that would remedy the aforementioned deficiency of Inoue et al.

Therefore, without conceding the propriety of combining Inoue et al. and Hosoi in the manner proposed in the Office Action, it is submitted that such a combination still fails to teach or suggest all of the features of claim 7. Therefore, reconsideration and withdrawal of the rejection of claim 7 under 35 U.S.C. §103 is respectfully requested.

Independent claim 9 recites, inter alia, a pair of second optical waveguides formed on a substrate and formed on both sides of a first optical waveguide to guide light radiated or leaking from a first optical waveguide.

Independent claim 10 recites, inter alia, a second optical waveguide formed on a substrate to guide light radiated or leaking from a first optical waveguide.

However, Applicants respectfully submit that neither Inoue et al. nor Sano et al., either

alone or in combination, teaches or suggests at least the aforementioned features of independent claims 9 and 10.

As noted in the Office Action, the primary citation to Inoue et al. does not teach or suggest guiding unnecessary or subsidiary light. (Office Action, page 6).

The secondary citation to Sano et al. relates to an optical multiplexer/demultiplexer and was cited for its teaching of providing a pair of second optical waveguides formed on both sides the first optical waveguide to guide unnecessary or subsidiary light. (Office Action, page 6). It is respectfully submitted, however, that Sano et al. fails to compensate for the deficiencies in Inoue et al. as discussed above with respect to Applicants' independent Claims 1.

Therefore, without conceding the propriety of combining Inoue et al. and Sano et al. in the manner proposed in the Office Action, it is submitted that such a combination still fails to teach or suggest all of the features of independent claims 9 and 10. Therefore, reconsideration and withdrawal of the rejection of independent claims 9 and 10 under 35 U.S.C. §103 is respectfully requested.

In view of the foregoing, Applicants respectfully submit that the independent claims patentably define the present invention over the citations of record. The dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicants believe that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.

There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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